

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

(5) DAVID SIMMONS,

Defendant.

)
)
)
)
)
)

Criminal No. 14-10163-NMG

UNITED STATES' MOTION FOR FINAL ORDER OF FORFEITURE

The United States of America, by its attorney, Carmen M. Ortiz, United States Attorney for the District of Massachusetts, respectfully moves this Court for the issuance of a Final Order of Forfeiture in the above-captioned case pursuant 21 U.S.C. § 853, and Rule 32.2(b) of the Federal Rules of Criminal Procedure. A proposed Final Order of Forfeiture is submitted herewith. In support thereof, the United States sets forth the following:

1. On June 5, 2014, a federal grand jury sitting in the District of Massachusetts returned a one-count Indictment charging defendant David Simmons (the "Defendant"), and others, with Conspiracy to Distribute and to Possess With Intent to Distribute Marijuana, in violation of 21 U.S.C. § 846 (Count One).
2. The Indictment also contained a forfeiture allegation, pursuant to 21 U.S.C. § 853, which provided notice that the United States sought the forfeiture, upon conviction of the Defendant, jointly and severally, of the offense alleged in Count One of the Indictment, of any property constituting, or derived from, any proceeds the defendants obtained, directly or indirectly, as a result of such offense, and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation. The property to be forfeited included, but was not limited to at least \$8 million in United States currency.
3. On September 9, 2014, the United States filed a Bill of Particulars for Forfeiture of

Motion allowed. S/M Gorton, USDT 10/4/16